

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: A. Chet McQuaide, *et al.*
Serial No.: 10/090,180
Filed: March 4, 2002
For: CREDIT CARD MESSENGER

Group Art Unit: 3694
Examiner: I. Jung Liu
Confirmation No.: 4756

Date : December 2, 2009

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**APPELLANTS' REPLY TO NOTIFICATION
OF NON-COMPLIANT APPEAL BRIEF**

This paper is filed pursuant to the "Notification of Non-Compliant Appeal Brief " mailed November 30, 2009.

It is not believed that an extension of time and/or additional fee(s) are required, beyond those that may otherwise be provided for in documents accompanying this paper. In the event, however, that an extension of time is necessary to allow consideration of this paper, such an extension is hereby petitioned under 37 C.F.R. Sec. 1.136(a). Any additional fees believed to be due may be charged to Deposit Account No. 50-0220.

Appellants provide the following revised "Summary of the Claimed Subject Matter" section of the Appellants' Brief on Appeal to overcome the objections related to item 4 in the "Notification of Non-Compliant Appeal Brief " (hereinafter "Notification") mailed November 30, 2009.

Summary of the Claimed Subject Matter

The present application includes systems and methods for allowing subscribers to a wireless web access service to receive unsolicited messages regarding important changes to their credit card or other line of credit status to eliminate the possibility of an embarrassing situation when attempting to purchase goods or services with a credit card over its limit or one that is temporarily suspended. For embodiments of the present invention as recited in independent Claim 1, a credit alert system (5, Fig. 1) includes a wireless subscriber account server (25, Fig. 1) for receiving a credit card alert from a credit card account database (40, Fig. 1) regarding at least one of available credit and credit status for a credit card account. (Specification, paragraphs [0012] - [0016].) The credit card account database does not have

or have access to wireless subscriber account information for a person associated with the credit card account. (Firewall 60, Fig. 1; and the need for credit card application module 45.) The credit card alert is unsolicited by the person associated with the credit card account. (Specification, paragraphs [0005] and [0019].)

The credit alert system includes a wireless subscriber account database (30, Fig. 1) in communication with the wireless subscriber account server (25, Fig. 1) for storing wireless subscriber account information. (Specification, paragraph [0016].) The credit alert system includes an application module (45, Fig. 1) in communication with the wireless subscriber account server (25, Fig. 1) for comparing information contained in the unsolicited credit card alert to subscriber information contained in the wireless subscriber database (30, Fig. 1) to determine a wireless subscriber associated with a credit card account and for preparing a message to communicate to a wireless device (10, Fig. 1) of a subscriber in response to receiving the unsolicited credit card alert from the credit card account database (40, Fig. 1). (Specification, paragraph [0017].)

The credit alert system also includes a Wireless Application Protocol (WAP) push proxy gateway (20, Fig. 1) in communication with the wireless subscriber account server (25, Fig. 1) that sends the message to the wireless device (10, Fig. 1) of the subscriber using an available mobile network service. (Specification, paragraphs [0018] and [0020].)

For embodiments of the present invention as recited in independent Claim 10, a method for alerting a wireless device regarding a credit card account comprises receiving (120, Fig. 2A) a credit card alert from a credit card account database (40, Fig. 1) at an application module (45, Fig. 1) in communication with a wireless subscriber account database (30, Fig. 1). The credit card account database (40, Fig. 1) does not have or have access to wireless subscriber account information for a person associated with the credit card account (Specification, paragraph [0016]; Firewall 60, Fig. 1; why credit card application module 45 is necessary), and the credit card alert is unsolicited by the person associated with the credit card account. (Specification, paragraph [0005].) The method also includes matching the alert to a wireless subscriber's account by comparing information contained in the unsolicited credit card alert to subscriber information contained in the wireless subscriber database; generating a message relating to the credit card account; and pushing the message to the wireless device of the wireless subscriber via a WAP enabled push proxy gateway that sends the message using an available network service. (Specification, paragraphs [0006], [0019] and [0020]; Steps 130-140, Fig. 2B.)

For embodiments of the present invention as recited in independent Claim 18, a system for alerting a wireless device regarding a credit card account comprises means (25, Fig. 1) for receiving a credit card alert from a credit card account database (40, Fig. 1). The credit card account database (40, Fig. 1) does not have or have access to wireless subscriber account information for a person associated with the credit card account (Specification, paragraph [0016]; Firewall 60, Fig. 1; why credit card application module 45 is necessary), and the credit card alert is unsolicited by the person associated with the credit card account. (Specification, paragraph [0005].) The system includes means for matching (45, Fig. 1) the unsolicited credit card alert to a wireless subscriber's account; means for generating (45, Fig. 1) a message relating to the credit card account; and means for pushing the (45, Fig. 1) message to the wireless device of the wireless subscriber via a WAP enabled push proxy gateway (20, Fig. 1) that sends the message using an available network service.

Conclusion

Appellants submit that the revised "Summary of the Claimed Subject Matter" section provided herein overcomes the deficiencies alleged in the Notification. Appellants request consideration of the remarks herein and in the Appeal Brief filed November 19, 2009, and reversal of the rejections of Claims 1, 2, 6-11, and 13-18.

Respectfully submitted,

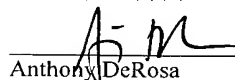


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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.6(a)(4) to the U.S. Patent and Trademark Office on **December 2, 2009**.



Anthony DeRosa